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Date: June 13, 2005

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FAX TO

Name	Company	Fax Number	Phone Number
Examiner Mary C. Hogan	U.S. Patent and Trademark Office	703-872-9306	

Original will follow via: ☐ Regular Mail ☐ Overnight Delivery ☐ Messenger ☒ None

NOTES:

Applicant: **RUSTY S. LEE**
Serial No.: 09/828,681
Art Unit: 2123
Examiner: Mary C. Hogan
Title: Method and Apparatus for Generating Machine Control Instructions
Atty. Docket No.: 04-40398-US

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RESPONSE UNDER 37 CFR § 1.116
--EXPEDITED PROCEDURE--
ART UNIT 2123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RUSTY S. LEE

Serial No.: 09/828,681

Art Unit: 2123

Examiner: Mary C. Hogan

Atty. Docket No.: 04-40398-US

**METHOD AND APPARATUS FOR
GENERATING MACHINE CONTROL
INSTRUCTIONS**

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment Under 37 C.F.R. 1.116
in the above-identified application.

1. ☐ Applicant requests an extension of time to respond to
the outstanding Office Action. A Petition for an
extension of time is enclosed.

OR

- ☒ In the event that an extension of time is required,
this conditional petition is being made to provide for
the possibility that applicant has inadvertently
overlooked the need for a petition and fee for
extension of time.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

MAILED

☐ deposited with the United States Postal Service on [date] with
sufficient postage as first-class mail in an envelope addressed to
Box AF, Commissioner for Patents, Washington, D.C. 20231.

Type Signature Name

(Signature of person mailing paper or fee)

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and Trademark Office, fax number 703-872-9306.

Ian K. Samways

(Signature of person mailing paper or fee)

2. ☒ Small Entity status of this application has been established by a verified statement previously submitted.
3. ☐ A verified statement to establish Small Entity status is enclosed.
4. ☐ Also enclosed:
5. ☒ No fee for extra claims is required.
6. ☐ The fee for extra claims has been calculated as shown below:

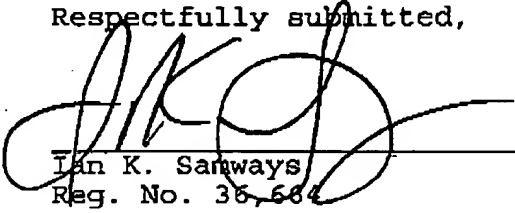
	Claims Remaining After Amendment (Col. 1)	Highest No. Prev. paid for (Col. 2)	Extra Presented (Col. 3)	SMALL ENTITY			OTHER THAN A SMALL ENTITY		
				RATE	FEE		RATE	FEE	
Total Claims	- **	= 0*	X	\$ 9	= \$0	OR	X	\$ 18	= \$
Ind. Claims	- ***	= *	X	\$ 43	= \$	OR	X	\$ 86	= \$
<input type="checkbox"/> Multiple Dependent Claim Presented			+	\$145	= \$	OR	+	\$290	= \$
				<u>TOTAL</u>	- \$	OR	<u>TOTAL</u>	= \$	

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

7. ☐ Applicant encloses herewith a check for \$[Amount] to cover the filing fee.
8. ☐ The Director is authorized to charge the \$ filing fee to Deposit Account No. 18-0582.
9. ☒ The Director is hereby authorized to charge payment of any additional filing fees associated with this communication or credit any overpayment to Deposit Account No. 18-0582. A duplicate copy of this communication is attached.

Respectfully submitted,

Dated: June 13, 2005


 Ian K. Samways
 Reg. No. 36,684

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 Pittsburgh, PA 15230
 (412) 288-4160

Agent for Applicant

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In re Application of:

Rusty S. Lee

Serial No. 09/828,681

Art Unit: 2123

Examiner: Hogan, Mary C.

Attorney Docket No.: 04-40398-US

METHOD AND APPARATUS FOR
GENERATING MACHINE CONTROL
INSTRUCTIONS

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. 1.116

Dear Sir:

Responsive to the Office Action mailed March 14, 2005 in the above-identified patent application, indicated as "FINAL", please enter the following Amendment under 37 C.F.R. 1.116.